

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Jose F. Caragol
Council Vice President



Council Members
Katherine Cue-Fuente
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Summary Agenda/Minutes April 24, 2018 7:00 P.M.

Call to Order

REPORT: Council President Casáls-Muñoz called the meeting to order at 7:15 p.m.

Roll Call

REPORT: The following Council Members were present:

- Council President Vivian Casáls-Muñoz
- Councilman Vice President Jose Caragol
- Councilwoman Isis Garcia-Martinez
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano
- Councilman Carl Zogby

REPORT: The following Council Members were absent:

- Councilwoman Katharine Cue-Fuente

REPORT: Also present were:

- Lorena Bravo, City Attorney
- Mayor Carlos Hernandez

Invocation

REPORT: The invocation was led by Lisette Perez, Office Coordinator, Office of the City Clerk.

REPORT: The Pledge of Allegiance was led by Councilman Carl Zogby.

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by Lisette Perez, Office Coordinator, Office of the City Clerk, in English, and by Brigitte Leal, Administrative Aide, Office of the City Clerk, in Spanish.

REPORT: Council President Casáls-Muñoz called a recess at 7:20 p.m. as the City Council waited for the arrival of Mayor Hernandez to the meeting.

REPORT: Mayor Carlos Hernandez arrived to the City Council meeting at 7:25 p.m.

PRESENTATIONS

- **Council President Casáls-Muñoz, recognized The Honorable Rene Garcia, Florida State Senator, for being present at the meeting.**

1. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- Additional backup to Item 3A has been added to today's agenda and has been placed on the dais for the City Council's review.

- A letter on behalf of T-Mobile has been added to Item 3B and has been placed on the dais for the City Council's review.
- Additional backup to Item 3C has been added to today's agenda and has been placed on the dais for the City Council's review.
- The applicant for Item PZ 2 has requested that the item remain tabled until the City Council Meeting of May 8, 2018.
- The proposed ordinance for Item 3C was amended and updated and the updated copy has been placed on the dais for the City Council's review.

2. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Motion to Approve the Consent Agenda, except Item L made by Councilwoman Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent.

REPORT: Councilman Hernandez requested separate discussion on Item L.

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on April 10, 2018. (OFFICE OF THE CITY CLERK)
APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.
- B. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order #2018-397, issued to Monica Manufacturing Corp, doing business as All Uniform Wear, to purchase T-Shirts to promote cancer awareness, as well as for the new Fire Recruits, by an additional amount of \$12,000, for a new total cumulative amount not to exceed \$40,500. (FIRE DEPT.)
APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.
- C. Proposed resolution approving the Memorandum of Agreement between the City of Miami, as the sponsoring agency of the UASI Grant Program 2017, under the U.S. Department of Homeland Security's Urban Area Security Initiative (UASI), and the City of Hialeah, as participating agency; accepting the award of sub-grant in the amount of \$443,591.17 pursuant to said Memorandum of Agreement approved planning and equipment costs identified in the program budget; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute the Memorandum of Agreement attached hereto, and made a part hereof as Exhibit "1", and any other documents in furtherance hereof. (FIRE DEPT.)
APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

RESOLUTION NO. 2018-037

- D. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the First Amendment to the Services Agreement between MCCi LLC, attached hereto and made a part hereof as Exhibit “1”, to include the purchase of Laserfiche Avante Software and other related services to the scope of services section of the agreement, to include the additional cost to the compensation section, to add a new contact for the City in the notice section, and add Exhibit A-1 to the agreement, under the same terms and conditions. (INFORMATION TECHNOLOGY DEPT.)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

RESOLUTION NO. 2018-038

- E. Request permission for approval to pay the annual City of Hialeah membership dues to the Florida League of Cities, Inc., for providing a variety of benefits to the City, including legislative advocacy and updates, bond services, legal advice, access to the statewide newsletter, and educational webinars, in a total cumulative amount not to exceed \$27,682. (OFFICE OF THE MAYOR)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- F. Request permission to renew the Non-Exclusive Concession Management Services Franchise Agreement between Concession Management Systems, LLC and the City of Hialeah, for a term of one (1) year commencing on April 21, 2018 and ending on April 20, 2019, to provide concession management services to the City at the designated locations but to exclude Bucky Dent Softball complex, Slade Park and Graham Park, for a quarterly fee of \$2,337.50, with the option to renew for two consecutive one-year terms. (PARKS AND RECREATION DEPT.)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- G. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is the sole source vendor for EZ Street cold mix asphalt for the southern area of Florida, and issue a purchase order to General Asphalt Co., Inc., for hot asphalt repairs, in a total cumulative amount not to exceed \$15,000. (STREETS)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- H. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties – Mid-Size 4-Door Administrative Vehicles, Specification #17, and issue a purchase order to AN Motors of Pembroke, LLC doing business as Autonation Chevrolet Pembroke Pines, to purchase six (6) 2018 Chevrolet Malibu’s, in the amount of \$17,073 per vehicle, in a total cumulative amount not to exceed \$102,438. (DEPT. OF PARKS AND RECREATION)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- I. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to McCourt Construction Inc., vendor providing the lowest quotation, for the improvements at Milander Park for the tennis court, two basketball courts, and one multi-purpose court to address and serve the demands for new residential development to the City’s park system, in a total cumulative amount not to exceed \$47,000. (DEPT. OF PARKS AND RECREATION)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- J. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to McCourt Construction Inc., vendor providing the lowest quotation, for the improvements at Wilde for two basketball courts, at Cotson Park for two basketball courts, at O'Quinn Park for two basketball courts and two tennis courts, and Slade Park for two basketball ball courts and two tennis courts, in a total cumulative amount not to exceed \$65,240. (DEPT. OF PARKS AND RECREATION)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- K. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to American Pavement Corp, for the restriping of Palm Avenue to West 4th Avenue from 56th Street through 59th Street, in a total cumulative amount not to exceed \$5,095. (STREETS)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- L. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to American Pavement Corp., for the restriping of Palm Avenue to West 4th Avenue from 61st Street through 65th Street, in a total cumulative amount not to exceed \$11,955. (STREETS)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

REPORT: Councilman Hernandez addressed Jose Sanchez, Director of Streets, City of Hialeah, in regards to the pricing on this item.

REPORT: Jose Sanchez, Director of Street Department, clarified the item.

REPORT: Motion to Approve Consent Item L made by Councilman Hernandez, and seconded by Council Vice President Caragol, Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent.

- M. Request permission to waive competitive bidding, since it is advantageous to the City due to time constraints and the existing condition of the elevators at Villa Aida, and issue a purchase order to Mowrey Elevator Company of Florida, Inc., for the elevator modernization at Villa Aida, in a total cumulative amount not to exceed \$119,228. (CONSTRUCTION AND MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- N. Request permission to reject Hialeah Invitation to Bid No. 2017/18-3230-00-005 – *Fire Station #5 - Re-Roofing*, because the one bid that was submitted exceeds the City's budget for the scope of work, and further request permission to allow the Construction and Maintenance Department to obtain quotations for this phase of the project. (CONSTRUCTION AND MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

- O. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA17-VEL 25.0 - 3/4 Ton 4-Door Crew Cab Pickup Truck – 4X4

Specification # 57, and issue a purchase order to AutoNation Chevrolet of Pembroke, LLC doing business as AN Motors of Pembroke, LLC., to purchase one (1) 2018 Chevrolet Silverado 2500 HD, in the amount of \$45,732. Further request permission to utilize Florida Sheriffs Association & Florida Association of Counties –15 Passenger Van - Specification # 38, to purchase one (1) 2018 Chevrolet Express 3500 15 Passenger Van - CG33706, in the amount of \$28,087. Further request permission to utilize Florida Sheriffs Association & Florida Association of Counties – Utility Cargo Van – Specification # 34, to purchase one (1) 2018 Chevrolet Express 2500 Cargo Van- CG23405, in the amount of \$21,852. The total amount of the expenditure for all three (3) vehicles is \$95,671. (FIRE DEPT.)

APPROVED 6-0-1 with Councilwoman Cue-Fuente being absent.

3. ADMINISTRATIVE ITEMS

- 3A.** License Post-Suspension hearing pursuant to Section 86-56 of the Hialeah Code. The Licensing Administrator has determined that the business tax receipt holder for Health Care Massage, Inc., located at 2350 West 84th Street, Bay 14, Hialeah, Florida, 33016, has violated Hialeah Code Sections §86-54(a) (6), §86-54(a) (8), §86-54(a) (12) and engaged in conduct that endangered the health, safety and welfare of this community, warranting the revocation of its business tax receipt. (LICENSE DIV.)

POSTPONED UNTIL JUNE 26, 2018.

REPORT: Theron Simmons, Assistant City Attorney, requested the item be tabled until June 26, 2018.

REPORT: Motion to Table Item 3A until June 26, 2018 made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent.

- 3B.** Second reading and public hearing of proposed ordinance repealing Article V, in Chapter 86, entitled “Management of Rights-of-Way” of the Code of Ordinances of the City of Hialeah, Florida and creating a new Article VI entitled “Communications Facilities in Rights-of-Way”, in Chapter 82 – Streets, Sidewalks and Other Public Places, to provide terms and conditions for the placement and maintenance of communications facilities or systems, small wireless facilities, micro wireless facilities, utility poles, wireless support structures and equipment facilities in the City’s Right-of-Ways for the provision of communications, cable services, video services and wireless services, providing for enforcement and administration; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1

ORDINANCE NO. 2018-028

REPORT: Motion to Approve Item 3B made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent.

- 3C.** Second reading and public hearing of proposed ordinance amending Chapter 14, entitled

“Buildings and Building Regulations”, by creating new regulations §§ 14-10 through 14-14 of the Code of Ordinances for permanently siting, installing and maintaining generators in all assisted living facilities and nursing homes in the City; repealing all prior ordinances in conflict herewith; providing for penalties; providing for severability; providing for inclusion in the code; providing for an effective date. (COUNCILMAN HERNANDEZ) **DENIED**

REPORT: Councilman Hernandez spoke on this item.

REPORT: Shaddrick A. Haston, 1618 Alhambra Plaza, Coral Gables, Florida, addressed the City Council in opposition to the approval of this item.

REPORT: Haymara Font, 5190 East 8th Avenue, addressed the City Council in opposition to the approval of this item.

REPORT: Ricardo Heira, 8850 Southwest 25th Street, addressed the City Council in opposition to the approval of this item.

REPORT: Nicolas Antonacci, 5300 West 16th Avenue, Hialeah, Florida 33012, addressed the City Council in opposition to the approval of this item.

REPORT: Senator Rene Garcia, 217 East 63 Street, addressed the City Council to explain state laws on this matter.

REPORT: Patrick Flynn, Chief of the Hialeah Fire Department, 83 East 5th Street, addressed the City Council on this item.

REPORT: Councilwoman Lozano spoke on this item.

REPORT: Elena Fernandez, 1618 Alhambra Plaza, Coral Gables, Florida, South Florida Consultant Trainer, addressed the City Council in opposition to the approval of this item.

REPORT: Deborah Storch, Director of Planning and Zoning, City of Hialeah, addressed the City Council on this item.

REPORT: Alexis Riveron, Building Official, City of Hialeah, addressed the City Council on this item.

REPORT: Miguel Mendez, Chief of Electrical Engineering, clarified questions in regards to electricity concerns.

REPORT: Councilwoman Garcia-Martinez spoke on this item.

REPORT: Mayor Carlos Hernandez spoke on this item.

REPORT: Motion to Approve made by Councilman Hernandez, and seconded by Councilwoman Garcia-Martinez. Motion failed at the pleasure of the Council with the following Council members voting “NO” Caragol, Lozano, Zogby and Casáls-Muñoz.

3D. Second reading and public hearing of proposed ordinance granting a license to Clear Channel Outdoor, Inc., a Delaware corporation, for a term of five years, commencing on

May 1, 2017 ending on April 30, 2022, with three five year options to renew to provide, install and maintain bus passenger shelters with advertising during the initial term for a maximum of 100 shelters in substantial conformity with the terms of license agreement attached as Exhibit “1”; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 4-1-2

ORDINANCE NO. 2018-029

REPORT: Motion to Approve Item 3D made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 4-1-2 with Councilman Hernandez voting “No”, Councilwoman Garcia-Martinez not present during the vote and Councilwoman Cue-Fuente absent.

- 3E. First reading of proposed ordinance approving the release of a public utility easement traversing land located at 795 Hialeah Drive, Hialeah, Florida, comprising lots 8, 9, 10, 11 and 12 of Blocks 25 of the Third Addition to Essex Village, as shown on the plat thereof recorded in the Plat Book 47, Page 94 of the Official Records of Miami-Dade County, Florida; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 5-0-2

REPORT: Motion to Approve Item 3E made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilwoman Garcia-Martinez not present during the roll call, and Councilwoman Cue-Fuente absent. Second reading and public hearing is scheduled for May 8, 2018.

- 3F. First reading of proposed ordinance approving an amendment to the development agreement by and among FDG Countyline, LLC, a Delaware limited liability company, FDG BN Expansion, LLC, a Delaware limited liability company, and the City of Hialeah, Florida, dated March 31, 2014 approved by Hialeah, Fla. Ordinance 2014-18 (March 25, 2014), a copy of the amendment in substantial form is attached hereto and made a part hereof as Exhibit “1”, providing for changes in the improvements to the city park to be permitted and constructed by the developer in exchange for the payment of \$500,000.00 by the City to the developer upon conveyance, approving the form of deed, manner of conveyance and restrictions upon the land, providing for changes to the configuration of the roadways to be built and dedicated by developer, defining the location of the easements reserved by developer on the city park and providing for developer’s obligations for conduct within the easement, among other things. property comprising approximately 504 acres within an area bounded on the west by NW 107 Avenue, on the north by NW 170 Street, on the east by NW 97 Avenue and on the South by NW 154 Street; all located in Hialeah, Florida. Property having a land use classification of industrial and located within the BDH Business Development zoning district. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1

REPORT: Motion to Approve Item 3F made by Councilman Hernandez, and seconded by Council Vice President Caragol. Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent. Second reading and public hearing is scheduled for May 8, 2018.

3G. First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article III “Plans and Plats”, Division 3. “Subdivision Plats”, of the Code of Ordinances of the City of Hialeah, and in particular, revising Section 98-346 entitled “Required”, and adding a new Section 98-349 entitled “Unity of Title; Covenant in Lieu Thereof”, creating an exception to the subdivision of plat requirement for the BDH Business Development District, provided that all applications for building permits where multiple buildings are proposed for a single site be accompanied by a unity of title or declaration of restrictive covenants; creating a requirement for the City Attorney to approve the unity of title and declaration of restrictive covenants for legal form and sufficiency; and further providing for the required elements of the declaration of restrictive covenants; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for a severability clause; providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1

REPORT: Motion to Approve Item 3G made by Council Vice President, and seconded by Councilwoman Garcia-Martinez. Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent. Second reading and public hearing is scheduled for May 8, 2018.

3H. First reading of proposed ordinance amending Chapter 98, entitled “Zoning”, Article I, entitled “In General”, § 98-7 entitled “Reserved”; by adding § 98-7 entitled “Fees”; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in code; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1

REPORT: Motion to Approve Item 3H made by Council Vice President, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent. Second reading and public hearing is scheduled for May 8, 2018.

3I. First reading of proposed ordinance submitting to the electorate at a Special Election of the City of Hialeah to be held on Tuesday, August 28, 2018, the same date as the primary election of Miami-Dade County, where the electors shall be privileged to vote on the following ballot question:

“Would you support an increase of approximately 3/4 of one mill (for example: current millage 6.3018 + 0.75 = 7.0518 proposed millage) in the property tax rate in the city of Hialeah to fund hiring additional police officers, make necessary capital expenditures, purchase specialty equipment and technology, train first responders, for the purpose rendering aid to schools as necessary and as permitted by law, and enhance response to public mass shootings in the city?”

Repealing all ordinances in conflict herewith; providing penalties for violation thereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1

REPORT: Mayor Carlos Hernandez spoke on this item.

REPORT: Motion to Approve Item 3I made by Council Vice President, and seconded by Councilman Hernandez. Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent. Second reading and public hearing is scheduled for May 8, 2018.

- 3J.** First reading and public hearing of proposed ordinance relating to the construction and funding of roadway improvements in the N.W. 142nd Street assessment area; determining that certain real property will be specially benefited by the roadway improvements establishing the method of assessing the cost of the improvements against the real property that will be specially benefited thereby; establishing other terms and conditions of the assessments approving the assessment roll; imposing assessments upon all tax parcels described in the assessment roll; providing the method of collection ratifying and confirming the initial assessment resolution; directing recorded notice of the assessments; providing for severability; providing penalties for violation hereof; and providing an effective date. (ADMINISTRATION)

APPROVED 6-0-1

REPORT: Lorena Bravo, City Attorney, clarified proposed ordinance to the City Council.

REPORT: Mayor Carlos Hernandez spoke on this item.

REPORT: Motion to Approve Item 3J made by Councilwoman Garcia-Martinez, and seconded by Council Vice President Caragol. Motion passed 6-0-1 with Councilwoman Cue-Fuente being absent. Second reading and public hearing is scheduled for May 8, 2018.

4. BOARD APPOINTMENTS

REPORT: NONE

5. UNFINISHED BUSINESS

Carlos Berragon, 8700 West 35th Court, Hialeah, FL 33018, announced Art Day Event that is going to be held at the Aragon Community on June 2, 2018 and provided the Mayor and City Council with flyers.

Vanessa Barcelo, spoke on the Art Day Event that is taking place at Aragon Community on June 2, 2018.

6. NEW BUSINESS

REPOT: NONE

7. COMMENTS AND QUESTIONS

Councilwoman Lozano thanked the Hialeah Police Department for their hard work DRING President Donald Trump visit to the City of Hialeah.

Councilwoman Garcia-Martinez acknowledged and thanked all departments that participated when President Trump visited Hialeah.

Dania Victores, 2765 West 54th Street, Hialeah, Florida 33016, addressed the Mayor and the City Council to commend the Streets Department for their hard work and cooperation regarding pedestrian safety.

REPORT: Councilman Paul Hernandez left the City Council Meeting at 10:15 p.m.

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

- Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in.

PZ 1. Second reading and public hearing of proposed ordinance granting a variance permit to allow a residential development without a vertical mix of uses; allow 12.5% of the residential units to have floor areas of less than 850 square feet, where 10% is the maximum allowed; allow a building frontage of 79.1%, where 100% is required at the base of the building; allow a base height of 45 feet, where 40 feet is the maximum allowed; allow a street side setback of 1.75 feet, where 10 feet are required; allow a pervious area of 14.2%, where 30% is the minimum required; and allow 50 parking

spaces, where 54 parking spaces are required; property zoned C-2 (Liberal Commercial District) within Area 1 of the Neighborhood Business District Overlay. **Property located at 2160 Palm Avenue, Hialeah, Florida;** repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Juan Carlos Rodriguez, 13350 NW 97 Avenue, Hialeah Gardens, FL 33018*)

APPROVED 5-0-2.

ORDINANCE NO. 2018-030

<i>Item was approved on first reading by the City Council on April 10, 2018.</i>
<i>Item was approved with conditions by the Planning and Zoning Board on March 28, 2018.</i>
<i>Planner's Recommendation: Approve with condition that the applicant implement a parking management plan and submit proffered Declaration of Restrictive Covenants with permitting and construction schedule.</i>
<i>Owner of the Property: Juan Carlos Rodriguez, 13350 NW 97th Avenue, Hialeah Gardens, FL, 33018.</i>

REPORT: Motion to Approve Item PZ 1 made by Council Vice President Caragol and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent.

PZ 2. First reading of proposed ordinance rezoning Lot 6 from R-1 (One Family District) to R-2 (One and Two-Family Residential District); granting a variance to allow a duplex on Lot 6, a substandard lot, with width of 50 feet and area of 5,000 square feet, where 75 feet and 7,500 square feet are required; allow a 5.1 foot side setback, where 7.5 feet are required; allow 20 feet rear setback, where 25 feet are required; allow 43.20% lot coverage, where 30% is the maximum allowed; and granting a variance permit to allow for an existing single family to remain on substandard Lot 7, with a width of 50 feet and area of 5,000 square feet, where 75 feet and 7,500 square feet are required; all contra to Hialeah Code of Ordinances §§ 98-499, 98-544, 98-546, 98-547(a), and 98-2056(b)(2). **Property located at 4811 East 9th Lane, Hialeah.** Zoned R-1 (One-Family District). (*Applicant: Cesar Fabal, 4811 East 9 Lane, Hialeah, FL*)

POSTPONED UNTIL May 8, 2018.

REPORT: As per the applicant's request, the item to remain tabled until the City Council meeting of May 8, 2018.

REPORT: Motion to Table Item PZ 2 until May 8, 2018 made by Councilwoman Garcia-Martinez, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent.

On March 27, 2018 the item was postponed by the City Council until April 10, 2018. On April 10, 2018 the item remained tabled

Item was approved as amended by the Planning and Zoning Board on March 14, 2018.

Registered Lobbyist: Albert Gonzalez, 16400 NW 59 Avenue, Miami Lakes, Florida.

Planner's Recommendation: Denial.

Owner of the Property: Cesar Fabal, 4811 East 9 Lane, Hialeah, FL 33013.

FINAL DECISIONS

FD 1. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2018-04 that granted an adjustment on the property located at **651 East 36 Street, Hialeah, Florida**; zoned R-1 (One-Family District); and providing for an effective date. (*Applicant: Janet Rosillo Lopez, 651 East 36th Street, Hialeah, Florida 33013*)

APPROVED 5-0-2

RESOLUTION NO. 2018-039

Item was approved with conditions by the Planning and Zoning Board on March 28, 2018.

Planner's Recommendation: Approve with conditions.

Owner of the Property: Janet Rosillo Lopez, 651 East 36th Street, Hialeah, FL 33013.

REPORT: Motion to Approve Item FD 1 made by Council Vice President Caragol and seconded by Councilwoman Lozano. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent.

FD 2. Recommendation of denial by the City of Hialeah Planning and Zoning Board to adjust a distance separation to 10 feet, where 20 feet is the minimum required between an existing 282.55 square feet accessory building and the main residence, allow rear setback of 5.33 feet, where 7.5 feet is the minimum required for the existing accessory building. Property located at **4540 East 8th Court, Hialeah**, zoned R-1(One-Family District). (*Applicant: Angel R. Martinez and Felicia Diaz Gomez, 4540 East 8th Court, Hialeah, Florida*)

DENIAL UPHOLD (5-0-2) with Councilman Hernandez not present and Councilwoman Cue-Fuente absent.

<i>Item was denied by the Planning and Zoning Board on March 28, 2018.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Owner of the Property: Angel R. Martinez and Felicia Diaz, 4540 East 8th Court, Hialeah, FL 33013.</i>

REPORT: Motion to Uphold the Denial of the Planning and Zoning Board of Item FD 2 made by Council Vice President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed (5-0-2) with Councilman Hernandez not present and Councilwoman Cue-Fuente absent.

LAND USE AMENDMENTS

- LU 1.** First reading of proposed ordinance amending the future land use map from Medium Density Residential to High Density Residential; **Property located at 1235 West 26th Place, Hialeah, Florida**, zoned R-3 (Multiple-Family District); repealing all ordinance or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing severability clause; and providing for an effective date. (*Applicant Pedro SanJorge Two Saints Investments LLC, 1235 West 26 Place, Hialeah, Florida.*)
APPROVED 5-0-2

<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Pedro SanJorge Two Saints Investments LLC, 1235 West 26 Place, Hialeah, Florida.</i>

REPORT: Motion to Approve Item LU 1 made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent. Second reading and public hearing is scheduled for May 8, 2018.

- LU 2.** First reading of proposed ordinance amending the future land use map from Commercial to High Density Residential; **Property located at 620 West 29th Street, Hialeah, Florida**, zoned C-2 (Liberal Retail Commercial District); repealing all ordinance or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing severability clause; and providing for an effective date. (*Applicant: Daniel Abreu 29 SW LLC, 620 West 29 Street, Hialeah, Florida.*)
APPROVED 5-0-2

<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Daniel Abreu, 620 West 29 Street, Hialeah, Florida.</i>

REPORT: Motion to Approve Item LU 2 made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent. Second reading and public hearing is scheduled for May 8, 2018.

LU 3. First reading of proposed ordinance amending the future land use map from Low Density Residential to Commercial; **Property located at 402 East 41st Street, Hialeah, Florida,** zoned P (Parking); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing severability clause; and providing for an effective date. (*Applicant: Barbara De La Caridad Hernandez Navarro, 402 East 41st Street, Hialeah, Florida.*)

APPROVED 4-1-2

<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Barbara De La Caridad Hernandez Navarro , 402 East 41st Street, Hialeah, Florida</i>

REPORT: Motion to Approve Item LU 3 made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 4-1-2 with Council President Casáls-Muñoz voting "NO", Councilman Hernandez not present and Councilwoman Cue-Fuente absent. Second reading and public hearing is scheduled for May 8, 2018.

LU 4. First reading of proposed ordinance amending the future land use map from Medium Density Residential to High Density Residential; **Property located at 424 East 30th Street, Hialeah, Florida,** zoned R-3 (Multiple-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing severability clause; and providing for an effective date. (*Applicant: Darren Cantrelle and Maria Cantrelle, 424 East 30th Street, Hialeah, Florida.*)

APPROVED 5-0-2

<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Darren Cantrelle and Maria Cantrelle, 424 East 30th Street, Hialeah, Florida.</i>

REPORT: Motion to Approve Item LU 4 made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent. Second reading and public hearing is scheduled for May 8, 2018.

LU 5. First reading of ordinance amending the future land use map from Low Density Residential to Transit Oriented Development; **property located at 859 East 24th Street, Hialeah, Florida**, zoned R-1 (One-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Rental Properties Miami LLC, 859 East 24th Street, Hialeah, Florida.*)

APPROVED 5-0-2

<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Registered Lobbyist: Caesar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida 33016</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Rental Properties Miami LLC, 100 South Pointe Drive, #2702, Miami Beach, Florida.</i>

REPORT: Motion to Approve Item LU 5 made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent. Second reading and public hearing is scheduled for May 8, 2018.

LU 6. First reading of proposed ordinance amending the future land use map from Low Density Residential to Transit Oriented Development; **property located at 853 East 24th Street, Hialeah, Florida**, zoned R-1 (One-Family-District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 5-0-2

<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Registered Lobbyist: Cesar Mestre, 7600 West 20th Avenue, #220, Hialeah, FL 33016</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Rental Properties Miami LLC, 100 South Pointe Drive, #2702, Miami Beach, Florida.</i>

REPORT: Motion to Approve Item LU 6 made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent. Second reading and public hearing is scheduled for May 8, 2018.

LU 7. Proposed resolution expressing its intent to approve and adopt a Text Amendment to the Future Land Use Element of the City of Hialeah Comprehensive Plan to incorporate residential uses and corresponding policies and objectives in connection with the proposed redevelopment of the mixed uses Hialeah Heights Land Use Classifications.
(Applicant: Alejandro Arias, Esq. on behalf of Atlas Fam II, LLC)

APPROVED 5-0-2

RESOLUTION NO. 2018-040

<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Atlas Family II, LLC, 336 East Dania Beach Blvd, Dania, Florida 33004.</i>

REPORT: Motion to Approve Item LU 7 made by Councilwoman Garcia-Martinez and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilman Hernandez not present and Councilwoman Cue-Fuente absent.

REPORT: Council President Casáls-Muñoz adjourned Meeting at 10:30 P.M.

NEXT CITY COUNCIL MEETING: Tuesday, April 24, 2018 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 22, 2018 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at

(305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any

matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).